

8. **2006SP-090U-10**
Richard Jones Road SP
Map 117-15, Parcel 153
Subarea 10 (2005)
Council District 25 - Jim Shulman

A request to change from OR20 to SP zoning, property located at 2002 Richard Jones Road, approximately 575 feet east of Hillsboro Pike (3.93 acres) and located within a Planned Unit Development district, requested by David P. Crabtree of Waters Edge Limited Partnership, applicant and owner. (See also PUD Cancellation No. 138-82-U).

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST-A request to change 3.93 acres from Office/Residential (OR20) to Specific Plan (SP) zoning for property located within a Planned Unit Development at 2002 Richard Jones Road to allow for various commercial, office and retail uses within the existing buildings as described on the SP site plan. Existing Zoning

OR20 District - Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

Proposed Zoning

SP District - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined for the specific development and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

GREENHILLS/MIDTOWN COMMUNITY PLAN

Regional Activity Center (RAC)- RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy? - Yes. The proposed uses and limitations outlined in the SP site plan are consistent with the intent of the Regional Activity Center policy.

PLAN DETAILS

History - This request was originally submitted as a zone change. The request was for MUL. While the MUL district would allow for uses that are compatible with the intent of the RAC policy, it also allows for uses that are not consistent with the plan; therefore, the Planning Commission recommended that the request be disapproved at its meeting on May 25, 2006. The area’s Councilmember referred the request back to the Commission as an SP to address Planning Staff’s concern.

Site Plan - The plan identifies the existing buildings totaling 93,233 square feet in area. The request does not call for any additional construction on the site, but is intended to limit the type and intensity of allowed uses on the property.

Uses and Intensity - The plan will limit the site to the following uses:

Educational Uses	Commercial Uses	Communication Uses
Business School	ATM	Audio/Video Tape Transfers
College/University	Bar or Night Club	Multi-Media Production
Personal Instruction	Business Services	Printing and Publishing
Vocational School	Carpet Cleaning	Radio/TV Studio
Office Uses	Custom Assembly	Telephone Services
Financial Institutions	Furniture Store	Recreation and Entertainment Uses
General Office	Home Improvement Sales	Commercial Amusement (indoors)
Leasing/Sales Office	Hotel/Motel	
Medical Uses	Inventory Stock	
Medical Appliance Sales	Liquor Sales	
Medical Office	Personal Care Service	
Medical or Scientific Lab	Fast Food Restaurant	
Nonresidential Drug	Take Out Restaurant	
Treatment Facility	Full Service Restaurant	
Outpatient Clinic	Retail	
Rehabilitation Services		
Veterinarian		

Commercial uses will be limited to the first floor only, with any individual commercial use being limited to 40,000 square feet. Hours of operation will be restricted from the hours of 1 A.M. to 6 A.M. The site plan lists numerous uses that will not be allowed within the SP district (See site plan for list of uses). The plan also sets a noise limit by limiting noise in excess of 65 decibels.

Recommendation - Staff recommends that the request be approved with conditions.

PUBLIC WORKS RECOMMENDATION - All Public Works' design standards shall be met prior to any approvals and permits issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.

Maximum Uses in Existing Zoning District: OR20/ Commercial PUD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.93	N/A	88,212	1,212	170	178

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Quality Restaurant(931)	3.93	N/A	29,404	2,645	24	221

Maximum Uses in Proposed Zoning District:

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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General Office(710)	3.93	N/A	58,808	887	123	145
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Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				2,320	-23	188

STORMWATER RECOMMENDATION - No Exceptions Taken

CONDITIONS

1. The application, including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. Prior to the issuance of any occupancy permits a sign plan/policy consistent with the adopted Green Hills Urban Design Overlay shall be submitted for review and approval by Planning Staff.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
8. Adjustments: Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approved with conditions, (9-0) *Consent Agenda*

Resolution No. RS2006-392

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-090U-10 is APPROVED WITH CONDITIONS. (9-0)

Conditions of Approval:

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The proposed SP district is consistent with the Green Hills/Midtown Community Plan’s Regional Activity Center policy, which is intended for concentrated mixed-use areas anchored by a regional mall.”